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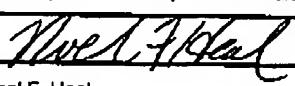
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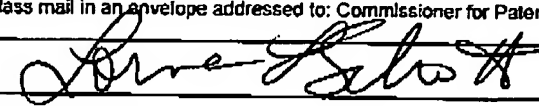
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/628,779	
	Filing Date	07/28/2003	
	First Named Inventor	Quentin P. Herr	
	Art Unit	2814	
	Examiner Name	Long Pham	
Total Number of Pages in This Submission	3	Attorney Docket Number	12-1143

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Northrop Grumman Space Technology
Signature	
Printed name	Noel F. Heal
Date	12/07/2004
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Docket No. 12-1143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Quentin P. Herr

Serial No.: 10/628,779

Filed: July 28, 2003

For: SUPERCONDUCTING DIGITAL
FIRST-IN FIRST-OUT BUFFER
USING NOVEL BACK
PRESSURE MECHANISM

Examiner: Long Pham

Group Art Unit: 2814

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RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office action mailed November 24, 2004, the Examiner requires election between Species I (claims 1-11) and Species II (claims 12-20). Applicant assumes that the prior restriction requirement dated September 14, 2004, has been withdrawn.

In response to the latest requirement, Applicant provisionally elects Species I (claims 1-11), but respectfully traverses the requirement.

In making the restriction requirement, the Examiner states only that claims 1-11 are drawn to a single flux quantum (SFQ) superconductive integrated circuit and that

Application No. 10/628779

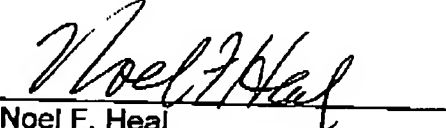
Docket No. 12-1143

claims 12-20 are drawn to a superconductive integrated circuit. The Examiner has not, however, made a *prima facie* showing of the distinctness of the two claim groups, as specifically required by MPEP §803 (Restriction – When Proper). Moreover, Applicant does not concede that claim 1 is the only generic claim. Applicant finds it difficult to rebut the *prima facie* showing of distinctness, as permitted under MPEP §803, because no *prima facie* showing has been made.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Respectfully submitted,

Date: December 7, 2004


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